

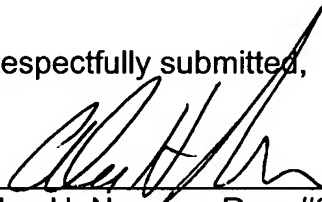
Remarks

Original claims 1 – 5 and newly added claims 11 – 14 are pending in the present case. Claim 1, the only pending independent claim, has been allowed. Claim 2, and the claims dependent therefrom, have been rejected as being indefinite. The Examiner indicates that claim 2 is not narrower than claim 1. However, claim 2 includes limitations not present in claim 1. Claim 1 requires that at least 1000 of the discrete generally uncolored regions are sufficiently small such that an ordinary viewer viewing the contact lens from a distance of sixteen inches cannot detect the presence of any of the at least 1000 generally uncolored regions when the wearer is wearing the contact lens. Claim 2 further requires that “the at least 1000 of the discrete generally uncolored regions are sufficiently large such that the at least 1000 discrete generally uncolored regions contribute to the overall appearance of the contact lens as viewed by the ordinary viewer from a distance of sixteen inches.” The Examiner apparently is arguing that regardless of the size of the uncolored regions, they will necessarily contribute to the overall appearance of the contact lens as viewed by the ordinary viewer from a distance of sixteen inches. However, Applicant submits that if the uncolored regions are too small, they will not contribute to the overall appearance of the contact lens as viewed by the ordinary viewer from a distance of sixteen inches. Unlike claim 1, claim 2 requires that the recited uncolored regions be sufficiently large that they contribute to the overall appearance. Because claim 1 is not so limited, claim 2 has a real limitation not required by claim 1. Because claim 2 adds a limitation, it is not vague and indefinite. Thus, claim 2, and claims 3 – 5 dependent thereon, is not indefinite pursuant to 35 U.S.C. 112, second paragraph.

Newly added claims 11 – 13 are similar to original claims 3 – 5, except they depend from claim 1 and do not have the requirements of claim 2. Thus, newly added claims 11 – 13 are allowable for the same reasons as claim 1 and satisfy the requirements of 35 U.S.C. 112.

Applicant submits that the application is in condition for allowance. Thus, Applicant respectfully requests that the Examiner allow all pending claims and issue a Notice of Allowance.

Respectfully submitted,



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